



## **CITY OF MORGAN HILL**

### **COUNCIL CHAMBERS**

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

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**COUNCIL MEMBERS**

Dennis Kennedy, Mayor  
Hedy L. Chang, Mayor Pro Tempore  
Cynthia J. Cook, Council Member  
Steve Tate, Council Member  
Greg Sellers, Council Member

**REDEVELOPMENT AGENCY**

Dennis Kennedy, Chairperson  
Cynthia J. Cook, Vice-Chairperson  
Hedy L. Chang, Agency Member  
Steve Tate, Agency Member  
Greg Sellers, Agency Member

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### **JOINT AGENDA**

#### **CITY COUNCIL & REDEVELOPMENT AGENCY**

#### **SPECIAL & REGULAR MEETING**

**WEDNESDAY, AUGUST 18, 1999**

***A Special Meeting is called for Wednesday, August 18, 1999 at 3:00 PM for the purpose of a Budget Workshop.***

**Chairperson**

**Dennis Kennedy, Mayor/Agency**

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**3:00 PM**

**CALL TO ORDER**

( Mayor/Agency Chairperson Kennedy)

**ROLL CALL ATTENDANCE**

(City Clerk/Agency Secretary Torrez)

**DECLARATION OF POSTING OF AGENDA**

**Per Government Code 54954.2**

(City Clerk/Agency Secretary Torrez)

**OPPORTUNITY FOR PUBLIC COMMENT**

**INTRODUCTIONS**

Shairon Williams  
Human Resources  
Administrative Analyst Trainee

***City Council & Redevelopment Agency Action***

**BUDGET WORKSHOP**

**CITY OF MORGAN HILL AND THE MORGAN HILL REDEVELOPMENT AGENCY  
1999/2000 BUDGET AND THE 2000/2001 FINANCIAL PLAN**

**Recommended Action:**

1. **Receive** presentation on the City of Morgan Hill and the Morgan Hill Redevelopment Agency 1999/2000 Budget and the 2000/2001 Financial Plan; and
2. **Discuss** the City of Morgan Hill and the Morgan Hill Redevelopment Agency 1999/2000 Budget and the 2000/2001 Financial Plan.

**ADJOURN**

**7:00 P.M.**

**SILENT INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PUBLIC SERVICE ANNOUNCEMENT**

Eric Hilding

**PRESENTATION**

Jim Lawson (SCVTA)

**CITY COUNCIL REPORT**

Mayor Pro Tem Chang

**CITY MANAGER'S REPORT**

**NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS  
AGENDA.**

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME  
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND**

**PRESENT IT TO THE CITY CLERK.**  
(See notice attached to the end of this agenda.)

## ***City Council Action***

**CONSENT CALENDAR:** The Consent Calendar, Agenda Items #1 through #12 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

	<b>Page</b>
1. <b><u>CORRECTION TO SOLID WASTE RATES</u></b> .....	1
<b><u>Recommended Action:</u></b> <b><u>Approve</u></b> Resolution #5305 correcting solid waste rates.	
2. <b><u>PERIODIC PERFORMANCE AUDIT OF SOUTH VALLEY DISPOSAL AND RECYCLING</u></b> .....	7
<b><u>Recommendation:</u></b> <b><u>Authorize</u></b> the City Manager to execute a contract in the amount of \$35,495 with Environmental Planning Consultants to conduct a performance audit of South Valley Disposal and Recycling.	
3. <b><u>ADJUSTMENT TO PROGRAM FEE FOR HAZARDOUS VEGETATION ABATEMENT</u></b> .....	23
<b><u>Recommended Action:</u></b> <b><u>Approve</u></b> amendment to agreement between the County of Santa Clara and the City of Morgan Hill for the abatement of hazardous vegetation.	
4. <b><u>AGREEMENT FOR LOCAL ACCESS TO CAL-ID SYSTEM</u></b> .....	27
<b><u>Recommended Action:</u></b> <b><u>Authorize</u></b> the City Manager to sign the eleventh amendment to the agreement with the City of San Jose to provide local law enforcement agency access to the California Identification System (Cal-ID) at an annual cost of \$21,181.	
5. <b><u>FINAL MAP ACCEPTANCE FOR THE VILLAS PH. II (TRACT 9158)</u></b> .....	39
<b><u>Recommended Action:</u></b>	
1. <b><u>Approve</u></b> the Final Map, Improvement Plans and Subdivision Improvement Agreement,	
2. <b><u>Authorize</u></b> the City Manager to sign the Subdivision Improvement Agreement on behalf of the City, and	

3. **Authorize** the recordation of the map and the Subdivision Improvement Agreement following recordation of the Development Improvement Agreement.
  
6. **FINAL MAP ACCEPTANCE FOR LANDS OF ANSUINI (TRACT 9115)** ..... 51  
**Recommended Action:**
  1. **Approve** the Final Map, Improvement Plans and Subdivision Improvement Agreement,
  2. **Authorize** the City Manager to sign the Subdivision Improvement Agreement on behalf of the City, and
  3. **Authorize** the recordation of the map and the Subdivision Improvement Agreement following recordation of the Development Improvement Agreement.
  
7. **REVIEW OF TENTATIVE MAP FOR A 58-UNIT SUBDIVISION, APPLICATION SD-99-03: MISSION VIEW - MISSION RANCH** ..... 63  
**Recommended Action:** **Take no action**, thereby concurring with the Planning Commission's decision regarding approval of the subdivision map.
  
8. **ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR PARCEL MAPS 696-M-9&10 AND 696-M-11&12.** ..... 83  
**Recommended Action:**
  1. **Adopt** Resolution #5306 accepting the subdivision improvements in Parcel Maps 696-M-9&10 and 696-M-11&12, commonly known as Lands of Dawito, and
  2. **Direct** the City Clerk to file a Notice of Completion with the County Recorder's office.
  
9. **ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR TRACT 8717** ..... 87  
**Recommended Action:**
  1. **Adopt** Resolution #5307 accepting the subdivision improvements for Tract 8717, commonly known as Sunnyside - La Grande Estates Ph. II, and
  2. **Direct** the City Clerk to file a Notice of Completion with the County Recorder's office.
  
10. **ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR TRACT 9043** ..... 93  
**Recommended Action:**
  1. **Adopt** Resolution #5308 accepting the subdivision improvements for Tract 9043, commonly known as San Ramon - Laurel Oak Ph. II, and
  2. **Direct** the City Clerk to file a Notice of Completion with the County Recorder's

office.

11. **AWARD OF ENGINEERING CONTRACT FOR THE DOWNTOWN  
TRANSIT CENTER AT-GRADE PEDESTRIAN CROSSING** ..... 99  
**Recommended Action:**

1. **Approve** the attached proposal by Mark Thomas for a total cost of \$50,208 for completion of the final engineering plans and specifications for our Downtown Transit Center at-grade Pedestrian Crossing; and
2. **Authorize** the City Manager to execute the contract subject to City Attorney review and approval.

12. **AWARD OF CONTRACT FOR CONSTRUCTION OF NORDSTROM  
PARK** ..... 111  
**Recommended Action:**

1. **Appropriate** \$468,000 from our unappropriated Storm Drain (304-8060) fund balance for this project; and
2. **Award** contract to Robert A. Bothman, Inc. for the construction of Nordstrom Park in the amount of \$919,822.97.

**PUBLIC HEARINGS:**

***City Council Action***

13. **ORDINANCE AMENDING TITLE 6, CHAPTERS 6.04 THROUGH 6.32 OF  
THE MUNICIPAL CODE REGARDING ANIMALS** ..... 113  
**Recommended Action:** Request staff presentation.

Public Hearing opened.

Please limit your remarks to 3 minutes. Public Hearing closed.

Council discussion.

Action- Motion to waive the reading in full of Ordinance #1442 amending Title 6, Chapters 6.04 through 6.32 of the Municipal Code regarding animals;  
Motion to introduce Ordinance #1442 by title only.

14. **ORDINANCE AMENDING TITLE 6, CHAPTER 6.36 OF THE  
MUNICIPAL CODE REGARDING ANIMALS AND LAND USE** ..... 125  
**Recommended Action:** Request staff presentation.

Public Hearing opened.

Please limit your remarks to 3 minutes. Public Hearing closed.

Council discussion.

Action- Motion to waive the reading in full of Ordinance #1443 amending Title 6, Chapter 6.36 of the Municipal Code regarding animals and land use;  
Motion to introduce Ordinance #1443 by title only.

15. **URBAN SERVICE AREA APPLICATIONS: USA 99-01: SUNNYSIDE-STODDARD, USA 99-02: MONTEREY-CHRISTENSEN, USA 99-03: WEST EDMUNDSON-CHAN, USA 99-05: CITY OF MORGAN HILL** ..... 131  
**Recommended Action:** Request staff presentation.  
Public Hearing opened.  
Please limit your remarks to 3 minutes. Public Hearing closed.  
Council discussion.  
Action - Motion to continue public hearing to September 15, 1999.  
Action - Motion to discuss and give direction to staff on the initial study and application evaluations.
16. **ZONING AMENDMENT APPLICATION ZA-98-16: CONDIT - HORIZON LAND** ..... 175  
**Recommended Action:** Request staff presentation.  
Public Hearing opened.  
Please limit your remarks to 3 minutes. Public Hearing closed.  
Council discussion.  
Action - Motion to approve Mitigated Negative Declaration;  
Action- Motion to waive the reading in full of Ordinance #1444 approving the Planned Unit Development;  
Motion to introduce Ordinance #1444 by title only.
17. **ZA 99-07/DA 99-01: MISSION VIEW - MISSION RANCH** ..... 195  
**Recommended Action:** Request staff presentation.  
Public Hearing opened.  
Please limit your remarks to 3 minutes. Public Hearing closed.  
Council discussion.  
Action- Motion to waive the reading in full of Ordinance #1445 approving the Residential Planned Development (RPD);  
Motion to introduce Ordinance #1445 by title only; and  
Action- Motion to waive the reading in full of Ordinance #1446, approving the Development Agreement (DA);  
Motion to introduce Ordinance #1446 by title only.

## ***City Council & Redevelopment Agency Action***

18. **CITY OF MORGAN HILL AND THE MORGAN HILL REDEVELOPMENT AGENCY 1999/2000 BUDGET AND THE 2000/2001 FINANCIAL PLAN** ..... 237  
**Recommended Action:** Request staff presentation.  
Public Hearing opened.  
Please limit your remarks to 3 minutes. Public Hearing closed.  
Council discussion.  
Action - Motion to adopt Resolution #5309, the 1999/2000 City of Morgan Hill Budget and the 2000/2001 Financial Plan; and  
Action - Motion to adopt Resolution #MHRA 206, the 1999/2000 City of Morgan Hill Redevelopment Agency Budget and the 2000/2001 Financial Plan.

## City Council Action

19. **ADOPTION OF THE 1998 CALIFORNIA CODES AND THE 1997 UNIFORM CODES: BUILDING, ABATEMENT OF DANGEROUS BUILDINGS, HOUSING, PLUMBING AND MECHANICAL; ADOPTION OF UPDATED 1996 NATIONAL ELECTRICAL CODE; AMEND SECTION 1.01.010, CHAPTER 1.01, TITLE 1 OF THE MORGAN HILL MUNICIPAL CODE** ..... 247
- Recommended Action**
1. **Waive** the reading in full of Ordinance #1447 amending section 1.01.010, chapter 1.01, title 1 of the Morgan Hill municipal code, to include the current editions of the California building, housing, administrative, mechanical, plumbing, and fire codes; the national electrical code; and the uniform code for the abatement of dangerous buildings, and **introduce** Ordinance #1447 on first reading;
  2. **Waive** the reading in full of Ordinance #1448 amending Sections 15.08.010, 15.08.020, 15.08.040, 15.08.090, 15.08.100, 15.08.110, 15.08.120, 15.08.130, 15.08.140, 15.08.150, 15.08.160, 15.08.170, 15.08.190, 15.08.200, and 15.08.210 of the Morgan Hill municipal code and adopting the 1998 edition of the "California Building Code" and the 1997 edition of the "Uniform Building Code", Volumes 1, 2, & 3, including Chapters 3 Division II, 15, 18, 31 Division & III, and 33 of the Appendix thereto, published by the international conference of building officials, with amendments, as the building code of the City of Morgan Hill, with the exclusion of Sections 103 through 109 inclusive, Chapter 13, Appendix Chapter 13, Chapter 29, Appendix 29 Section 2320.11.3, Item 5; and **introduce** Ordinance #1448 on first reading;
  3. **Waive** the reading in full of Ordinance #1449 amending Sections 15.12.020, 15.12.040, 15.12.060 and deleting 15.12.050 of the Morgan Hill municipal code and adopting the 1996 edition of the "National Electrical Code," published by the National Fire Protection Association, with amendment, as the electrical code of this City, and **introduce** Ordinance #1449 on first reading;
  4. **Waive** the reading in full of Ordinance #1450 Amending Sections 15.16.010, 15.16.020, and Deleting 15.16.050 of the Morgan Hill Municipal Code and Adopting the 1998 Edition of the "California Mechanical Code," and the 1997 Edition of the "Uniform Mechanical Code," Published by the International Conference of Building Officials, with Amendments, as the Mechanical Code of this City, with the Exclusion of Sections 103 Through 117 and Appendix A-D Inclusive; and **introduce** Ordinance #1450 on first reading;
  5. **Waive** the reading in full of Ordinance #1451 Amending Sections 15.20.010, 15.20.020, 15.20.030, 15.20.040, 15.20.050, 15.20.060, 15.20.070, 15.20.080, 15.20.100 And Deleting 15.20.090 of The Morgan Hill Municipal Code And Adopting The 1998 Edition of The "California Plumbing Code," And The 1997 Uniform Plumbing Code Published by The International Association of Plumbing & Mechanical Officials, With Amendments, as The Plumbing Code of This City, With The Exclusion of Sections 10.04 Through 20.14, Inclusive., and **introduce** Ordinance #1451 on first reading;
  6. **Waive** the reading in full of Ordinance #1452 Amending Section 15.24.020 of The Morgan Hill Municipal Code And Adopting The 1997 Edition of The "Uniform Housing Code", Published by The International Conference of Building Officials, With Amendment, as The Housing Code of This City, With The Exclusion of Sections 104, 203, 204, 302 And 303., and **introduce** Ordinance

- #1452 on first reading; and
7. **Waive** the reading in full of Ordinance #1453 Amending Section 15.56.020 of The Morgan Hill Municipal Code And Adopting The 1997 Edition of The "Uniform Code For The Abatement of Dangerous Buildings," Published by The International Conference of Building Officials, With Amendments, as The Abatement of Dangerous Buildings Code of This City, With The Exclusion of Sections 203 Through 205, Inclusive, and **introduce** Ordinance #1453 on first reading

**OTHER BUSINESS:**

20. **PRESENTATION OF PAVEMENT MANAGEMENT SYSTEM REPORT** ..... 275  
**Recommended Action:** **Information report only** at this time.
21. **APPOINTMENT OF COUNCILMEMBER TO SERVE AS NONVOTING LIAISON TO THE CITY'S PUBLIC ACCESS TELEVISION PROVIDER (MEDIA ACCESS COALITION OF CENTRAL CALIFORNIA)** ..... 333  
**Recommended Action:** **Appoint** a Councilmember to serve as a liaison.
22. **REQUEST AUTHORIZATION TO FORM AN AD HOC COMMITTEE FOR THE NEW HIGH SCHOOL AND APPROVE MAYOR'S APPOINTMENT OF MEMBERS** ..... 335  
**Recommended Action:**
1. **Approve** creation of an Ad-Hoc Advisory Committee for up to a three month period for the purposes defined in the agenda report; and
2. **Approve** Mayor's appointments to the Ad-Hoc Advisory Committee as defined within the agenda report.
23. **LETTER OF SUPPORT REQUESTED BY SANTA CRUZ COUNTY FOR PAJARO RIVER FLOOD RELIEF** ..... 337  
**Recommended Action:** **Review and approve** amended letter to be submitted at meeting for Mayor's signature.

**CONSENT CALENDAR:**

***City Council & Redevelopment Agency Action***

24. **APPROVAL OF THE CITY COUNCIL & REDEVELOPMENT AGENCY REGULAR & SPECIAL MEETING MINUTES OF AUGUST 4, 1999** ..... 341

**FUTURE COUNCIL-INITIATED AGENDA ITEMS:**

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

**ADJOURNMENT**